United Nations A/C.1/52/PV.20

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Official Records

First Committee

20th Meeting

Wednesday, 12 November 1997, 10 a.m.

New York

Chairman: Mr. Nkgowe . . . . . (Botswana)

The meeting was called to order at 10.45 a.m.

Agenda items 62 to 83 (*continued*)

Action on all draft resolutions submitted under all items

The Chairman: As I informed Committee members at our meeting yesterday, the Committee will today proceed to take decisions on draft resolutions A/C.1/52/L.23/Rev.1, L.1, L.35, L.5/Rev.2 and L.39/Rev.1, as well as those draft resolutions which appear in clusters 7, 8, 9 and 10, except draft resolutions A/C.1/52/L.3, L.11/Rev.1 and L.42.

Before the Committee proceeds to take a decision on draft resolution A/C.1/52/L.23/Rev.1, contained in cluster 4, namely, "Conventional weapons", I will call upon those delegations wishing to introduce revised draft resolutions.

I give the floor to the representative of Egypt to introduce draft resolution A/C.1/52/L.5/Rev.2.

Mr. Karem (Egypt): On behalf of the States members of the League of Arab States, the delegation of Egypt has the honour to present the draft resolution contained in document A/C.1/52/L.5/Rev.2, under agenda item 74, entitled "The risk of nuclear proliferation in the Middle East".

In order to accommodate the different concerns of the many interested delegations, this draft was the subject of intensive consultations, which finally led to the submission of A/C.1/52/L.5/Rev.2. Draft resolution A/C.1/52/L.5/Rev.2 is based on the resolution adopted last year by the General Assembly under the same agenda item. It does, however, take into account some of the prevailing realities as they stand today in the Middle East region. Such realities underline a basic fact in our own region of the Middle East, namely that one State — Israel — remains outside of the scope of the Treaty on the Non-Proliferation of Nuclear Weapons. I should like to stress that this is precisely what the seventh preambular paragraph states objectively and clearly.

This is not name-calling. This is not singling out. It is a simple and clear reflection of reality stated in a carefully measured and descriptive manner.

Only one country in the Middle East is believed to possess a significant arsenal of nuclear weapons and to operate an unsafeguarded nuclear installation, and has until now refused to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and place its nuclear activities under the full safeguards of the International Atomic Energy Agency.

We hope that by adopting these draft resolutions we may set in motion a process, a spirit, that would engender a positive reaction by the international community to this situation which, if compared to other but much less significant cases of nuclear proliferation, remains mitigated at best.

The achievement of universal adherence to the Non-Proliferation Treaty remains a cardinal priority not only for the Middle East region but also for the international community as a whole. Universality consolidates the edifice of the NPT regime. This has been underscored by the

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Treaty itself and by the decision on principles and objectives for nuclear non-proliferation and disarmament adopted in 1995 by the Conference of States Parties to the NPT. It has also been clearly stated in the provisions of a resolution on the Middle East adopted by the Conference of the States Parties themselves. It is for those reasons that we consider that Israel's continued refusal to accede to the Non-Proliferation Treaty is an impediment to the realization of the lofty objective of attaining universal adherence to the NPT.

This imbalanced situation cannot continue. It undermines the efforts deployed by various regional and extraregional parties aimed at establishing confidence-building measures, in particular those efforts aimed at the establishment of a nuclear-weapon-free zone in the Middle East. At the same time, we must underscore that a few years ago, and as a token of our support for consolidating international support for this agenda item, the title of the item itself was changed from "Israeli nuclear armament" to "The risk of nuclear proliferation in the Middle East". That significant change highlighted the conceptual departure from confrontation to reconciliation and, hopefully, towards confidence-building. Now, we hope it is Israel's turn to make a positive gesture by joining all States of the region in acceding to the NPT or by inscribing an intention to do so, since the NPT is the cornerstone of the non-proliferation regime.

Finally, and in conclusion, on behalf of the States members of the League of Arab States, we hope to receive even more than the overwhelming support Member States offered this draft resolution last year in the General Assembly. We note that 129 Member States voted in favour of the draft resolution last year. Those Member States are in Africa, in Latin America, in Asia, in Europe and elsewhere. The consolidation of the non-proliferation regime remains a solemn duty and a sacred responsibility that should be faithfully discharged without any exception anywhere around the globe.

The Chairman: I shall now call upon representatives wishing to make general statements other than explanation of vote or position on draft resolutions A/C.1/52/L.23/Rev.1 and L.1 in cluster 4; L.35 in cluster 1; L.5/Rev.2 in cluster 1 and L.39/Rev.1 in cluster 5.

Mr. Danieli (Israel): My delegation wishes to make some comments on draft resolution A/C.1/52/L.5/Rev.2, now before the Committee, which singles out and condemns Israel for not acceding to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The draft resolution asserts that the situation by which Israel takes a sovereign stand on an issue that touches upon its utmost national security considerations constitutes, in the language of the draft resolution,

> "threats...to the security and stability of the region of the Middle East".

Since its inception, Israel has been repeatedly a target of various threats and attacks by many regional States. A recent blatant example was the unprovoked missile attacks on the civilian population of Israel during the Gulf War. Today, as I speak, it is once again not Israel that is threatening the security and stability of the region but other States that do so. Iraq is a party to the NPT. This fact does not eliminate the extraordinary threats it poses to regional stability and security and to world peace, yet it is Israel and only Israel that is the target of the condemnatory draft resolution before us.

The motive that compels the Committee to adopt draft resolutions that, in the opinion of my delegation, are political in nature —

The Chairman: I call upon the representative of Egypt, who has asked to speak on a point of order.

Mr. Karem (Egypt): I regret very much the fact that I have had to interrupt the representative of Israel, but I think, along with many others, that we have heard him state that he was basing his comments on draft resolution A/C.1/52/L.5/Rev.1. He used a specific wording that is not present in draft resolution L.5/Rev.2, which I have just introduced and which has been before the Committee for the past 48 hours. What we put before the Committee has no condemnation and is definitely not Rev.1 but Rev.2.

Mr. Danieli (Israel): The motives that compel this Committee to adopt draft resolution, A/C.1/52/L.5/Rev.2, in the opinion of my delegation, are political in nature and have nothing to do with the alleged specific purpose claimed by the sponsors.

Had this draft resolution truly addressed itself to the principle of universality, as its proponents cynically claim, it should be broadly applied and Israel should not be singled out. If, on the other hand, the Committee wishes to highlight the current situation in the Middle East, it should target the real proliferators in the region that are well known to the Committee and to the international community as a whole.

Furthermore, the introduction into this draft resolution of the topic of the Comprehensive Nuclear-Test-Ban Treaty, which certainly does not belong to the subject matter, is intended only to create a façade of respectability that this draft resolution so much lacks. As one of the original signatories of the Comprehensive Nuclear-Test-Ban Treaty, Israel rejects these inappropriate tactics of the sponsors at a time when the Committee has already adopted a decision, in document A/C.1/52/L.7, related to the Comprehensive Nuclear-Test-Ban Treaty.

This draft resolution renders a great disservice to the cause of non-proliferation in the Middle East by creating the illusion that it does tackle the real issue of non-proliferation. Unfortunately, the draft resolution will remain irrelevant to the evolving and dangerous situation in the Middle East. My delegation therefore calls upon all delegations to vote against this draft resolution.

The Chairman: I will now call on those members of the Committee wishing to explain their position or vote before a decision is taken on draft resolution A/C.1/52/L.23/Rev.1.

Mr. Goosen (South Africa): It is my understanding that the Chairman has asked for delegations wishing to make an explanation of vote before the voting on A/C.1/52/L.23/Rev.1.

My delegation is under instructions from our authorities in South Africa to vote against, to vote no on the draft resolution contained in A/C.1/52/L.23/Rev.1, entitled "Contributions towards banning anti-personnel landmines". South African delegations here in New York, at the Conference on Disarmament in Geneva and at the diplomatic conference held in Oslo that successfully negotiated an anti-personnel landmines (APLM) total-ban treaty have consistently indicated that we are willing to explore ways and means of enhancing the existing international agreement to ban landmines through negotiation in the Conference on Disarmament of a defined and focused transfer ban.

However, despite this willingness the draft resolution continues to raise a number of serious concerns.

Firstly, while aspiring to urge the intensification of efforts contributing to the objective of the elimination of anti-personnel landmines and to call for the intensification of efforts on the APLM issue in the Conference on Disarmament, the draft resolution fails to recognize the fact that the international situation regarding this issue has changed since Oslo. My delegation would have been perfectly willing to accept completely neutral language on this point, given the fact that we recognize that, for a variety of reasons which are important to them, certain countries are unable to give their support to the treaty negotiated in Oslo.

Secondly, while referring to the APM resolution that was adopted by a vote of 150 to none, with 10 abstentions, at the fifty-first session of the General Assembly, and calling for an intensification of efforts on this issue, the draft resolution does not recognize the central call of that resolution, which was entitled "An international agreement to ban anti-personnel landmines",

> "to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiations as soon as possible". [*resolution 51/45 S paragraph 1*]

Finally, an integral part of the international effort to address the scourge of anti-personnel mines is the Inhumane Weapons Convention, that is, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCWC). This draft resolution, while calling for an intensification of efforts on this issue, also does not give recognition to this.

Mr. De Icaza (Mexico) (*interpretation from Spanish*): The delegation of Mexico will abstain in the vote on the draft resolution contained in A/C.1/52/L.23/Rev.1, which invites the Conference on Disarmament to intensify its efforts on the issue of anti-personnel landmines.

The Government of Mexico considers the use of anti-personnel mines a flagrant violation of international humanitarian law and that the only real solution to the problems caused by such use is a total ban on such weapons. This is why we have supported the Ottawa process, and in the beginning of December we will sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

Mexico believes that the universality of the total ban on anti-personnel mines should be promoted in all forums, including the Conference on Disarmament, and we hope that the magnitude of the humanitarian tragedy caused by these mines and the growing strength of these treaties will

soon render universal the application of the Ottawa Convention. Therefore, at present Mexico does not see any need for either a partial or a total renegotiation of what was agreed just last year in the framework of the 1980 Inhumane Weapons Convention, or what was achieved this year by the Ottawa process.

Mr. Benítez Versón (Cuba) (*interpretation from Spanish*): My delegation has followed with great interest the draft resolution entitled "Contributions towards banning anti-personnel landmines" contained in document A/C.1/52/L.23/Rev.1. We would like to make the following comments in this regard.

The urgent appeal addressed to States in operative paragraph 1 must be clearly focused on the specific objective of eliminating the irresponsible and indiscriminate use of anti-personnel landmines, which, in the final analysis, is the real cause of the problems regarding such weapons.

Secondly, when dealing with the situation surrounding mines, due account must be taken of legitimate national security concerns. Therefore, explicit language should be included in the draft resolution for that purpose. But this has not been done in the text under consideration.

Thirdly, explicit references in operative paragraph 1 to the role of regional organizations should be supplemented with reference to the need to take into account the characteristics of each region and the fact that all States in a given region must have an opportunity to participate directly in the process.

And finally, given the current status of work in the Conference on Disarmament, which is characterized by a lack of definition regarding its agenda, we do not think it is a good idea for any political signals to be given that might be used in the long run as a pretext for giving priority in that forum to consideration of topics relating to conventional weapons, to the detriment of what my country considers to be a matter of highest priority: the immediate commencement of negotiations on nuclear disarmament.

For these reasons, my delegation will abstain in the voting on this draft resolution.

Mr. Dehghani (Islamic Republic of Iran): I am taking the floor to explain our position on draft resolution A/C.1/52/L.23/Rev.1, entitled "Contributions towards banning anti-personnel landmines".

We attach great importance to banning all types of this category of weapons, which do not discriminate between military personnel and civilians. However, we believe that in such a draft resolution, the following concepts have to be recognized. First is the legitimate and responsible use of landmines as long as the universally acceptable agreement to ban such weapons is not in place or viable alternatives have not been developed. Secondly, efforts aimed at a global prohibition of anti-personnel landmines should be accompanied by genuine efforts to render technical and financial assistance to mine-afflicted countries. Thirdly, an effective and legally binding international agreement to ban all types of anti-personnel landmines should be negotiated in the Conference on Disarmament as the sole negotiating body for disarmament, through establishing an ad hoc committee on anti-personnel landmines.

Despite reservations on some of its provisions, Iran will vote in favour of the draft resolution.

Mr. Danieli (Israel): My delegation will vote in favour of the draft resolution contained in document A/C.1/52/L.23/Rev.1.

Israel supports international efforts to resolve the problem of indiscriminate and irresponsible use of anti-personnel landmines, which results in casualties mostly among innocent and defenceless civilians, United Nations peacekeeping forces and humanitarian aid personnel.

In practical terms, we have contributed financial aid to mine-clearance projects in Angola and we are evaluating the possibilities of using Israeli expertise in mine-clearance around the world. Israel has joined other States opposing the proliferation of anti-personnel landmines and accordingly, back in 1994, adopted a unilateral moratorium prohibiting the export of anti-personnel landmines. This moratorium was recently extended for an additional three-year period to 1999.

Due to Israel's security situation in the Middle East, involving an ongoing threat of hostilities from some of its neighbouring countries, as well as terrorist threats and actions along its borders, Israel is still obliged to maintain its ability to use anti-personnel landmines, as necessary, for self-defence in general and along its borders in particular. Any such use of anti-personnel landmines is in accordance with the requirements of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

Accordingly, Israel is unable at this juncture to commit itself to a total ban on the use of anti-personnel landmines until effective alternative measures are available to ensure the protection of civilians threatened on a daily basis by terrorists and of Israeli Defence Forces operating in areas of armed conflict. At the same time, Israel supports a broader process in which each State will undertake to cease the proliferation of anti-personnel landmines, accept restrictions on possible use and, once circumstances permit, ban the production and use of anti-personnel landmines.

Israel would like to assure the Committee that, within the constraints mentioned earlier, it will continue to be part of the global effort to reduce the need and use of anti-personnel landmines. With this in mind, Israel will participate as an observer State in the forthcoming Ottawa conference.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.23/Rev.1. A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.23/Rev.1, entitled "Contributions towards banning anti-personnel landmines", was introduced by the representative of Australia at the 17th meeting on 7 November 1997. In addition to those countries listed in the draft resolution and in document A/C.1/52/INF/2, it is also sponsored by the following countries: Georgia and the Marshall Islands.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen

Against:

Eritrea, South Africa

Abstaining:

Angola, Benin, Botswana, Cuba, Democratic Republic of the Congo, Guinea, Jordan, Kenya, Malawi, Mexico, Mozambique, Namibia, Philippines, Sierra Leone, Swaziland, Syrian Arab Republic, Togo, Zambia, Zimbabwe

Draft resolution A/C.1/52/L.23/Rev.1 was adopted by 121 votes to 2, with 19 abstentions.

[Subsequently, the delegation of Madagascar advised the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those delegations wishing to explain their votes.

Mr. Vinhas (Portugal): As a country which fuily endorsed the objective of a total elimination of anti-personnel landmines and is determined to promote that goal actively in international forums, Portugal is pleased today to be a in position to support the three draft resolutions related to anti-personnel landmines, particularly A/C.1/52/L.23/Rev.1.

Our commitment to that objective means that we will support all initiatives in this area, regardless of which international forum is taking up the issue. However, it is our view that each forum should pursue its work on anti-personnel landmines in close coordination with the efforts pursued in others so as to maximize the complementarity of the international community's work in eliminating landmines.

Portugal supports the efforts of the Conference on Disarmament in this area in the hope that they will be compatible with and in support of the Ottawa process, as well as with the work of the United Nations regional organizations and the Review Conference of the Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and that they will contribute to the overall objective of a total ban.

My delegation considers that revised draft resolution A/C.1/52/L.23/Rev.1 takes into account at least part of our initial concerns. We appreciate the efforts made by the sponsors in order to accommodate our concerns. Portugal, while being only an observer, is committed to participating actively in the discussions on this issue in the Conference on Disarmament. We look forward to a positive consideration of our application for admission to the Conference in order to participate fully in its efforts towards our ultimate common objective: the elimination of anti-personnel landmines.

Mr. Illana (Chile) (*interpretation from Spanish*): Chile supported the draft resolution contained in document A/C.1/52/L.23/Rev.1 because we consider it to be a positive tool for promoting the universality of the ban on the use, stockpiling, production and transfer of anti-personnel landmines. In fact, this draft resolution realistically encourages complementary efforts that can take place in different forums to achieve this noble purpose. My delegation attaches particular importance to the work that could be done in this regard by the Conference on Disarmament in Geneva.

Mr. Felicio (Brazil): For a country sharing almost 17,000 kilometres of non-fortified land borders with 10 different countries, it would seem logical to keep the option of resorting to landmines as a means of defence and protection. Nevertheless, Brazil decided to join the mainstream, which has embraced the cause of a comprehensive prohibition of anti-personnel landmines.

For one thing, the Brazilian people and Government share in the virtually universal disapproval of the brutal effect of landmines on individual lives. For another, we believe that by pledging our support for the comprehensive prohibition of anti-personnel landmines we are both contributing to the consolidation of the confidence which already reigns among our neighbours and reflecting a commitment to peace in our part of the world, which has allowed us to be spared the scourge of large-scale war for most of our history.

It is thus with very firm conviction that Brazil and many other South American countries have associated themselves with the Ottawa process. As was announced at the recently held Oslo Conference, Brazil intends to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction next December.

As far as Brazil is concerned, the negotiating process leading to a comprehensive prohibition of anti-personnel landmines has been successfully concluded. We would have preferred the countries that are not yet ready to sign the Convention to reconsider their positions, thereby rendering draft resolutions such as the one in document A/C.1/52/L.23/Rev.1 unnecessary. Brazil has nevertheless decided to support the draft resolution contained in document A/C.1/52/L.23/Rev.1 as a gesture of goodwill towards those countries which cannot accept a comprehensive ban on landmines at this stage.

However, we feel it necessary to make clear that the text before us is not one to which we can lend our wholehearted support, for more than one reason. First of all, it seems contradictory to request the Conference on Disarmament to intensify efforts with regard to an issue on which that important body has not been capable of playing a role, while the international response to the very concern raised in the draft resolution was competently orchestrated through another process which succeeded in producing a major international treaty.

Curiously, the plea addressed to the Conference on Disarmament is made at a moment when that forum has been almost paralysed by differences in perception on the most basic question on its agenda. Additionally, we believe that this draft resolution places too much emphasis on individual measures and unilateralism at a time when the international community should be taking advantage of the favourable conditions created by the end of the cold war in order to strive for consensus and for strengthening multilateralism.

Mr. Pearson (New Zealand): My delegation voted in support of draft resolution A/C.1/52/L.23/Rev.1. We were able to do so because it specifically deals with contributions along the way to achieving a total ban on landmines. Such steps in the process of securing a ban on these indiscriminate weapons are of course to be welcomed.

The measures contained in this draft resolution are temporary. We need to be very clear about this distinction. As this draft resolution signals, these limited measures are only interim steps in the process of achieving the complete elimination of landmines, as required in the Oslo Convention.

Mr. Majoor (Netherlands): In the light of the worldwide problem of anti-personnel mines, the Netherlands has taken an active stance to achieve a worldwide and complete ban on anti-personnel mines. The treaty that will be signed in Ottawa on 3 and 4 December is a milestone in this collective endeavour. It will set the international legal standard for further actions in banning the use, production, stockpiling and transfer of anti-personnel mines. We strongly hope that all countries will sign the Ottawa treaty. International efforts should be aimed at promoting universal adherence to and full implementation of the treaty.

Concerning possible efforts in the Conference on Disarmament on the issue of anti-personnel mines, as stipulated in draft resolution A/C.1/52/L.23/Rev.1, we believe that a careful analysis should first be undertaken on what could usefully be done in the Conference on Disarmament in support of the Ottawa treaty and its objectives. We should avoid duplication and, worse, the development of conflicting and contradictory regimes. The activities in the Conference on Disarmament and their results should in no way be inconsistent with or contrary to the Ottawa treaty, or deviate from the achievements made in the Ottawa process.

First and foremost, it is important to strengthen the momentum of the Ottawa treaty. That is why the Netherlands has had its reservations from the beginning on draft resolution A/C.1/52/L.23/Rev.1. In spite of these reservations, the Netherlands voted in favour of this draft resolution. We do not want to stand in the way of the Conference on Disarmament's addressing the issue of anti-personnel mines. We hope for a realistic reflection of this issue in the Conference in connection with all the elements of the Conference's future work programme. Such a reflection should focus on the question of whether and how the Conference could possibly contribute to the success of the Ottawa treaty. My delegation expresses the hope that in such a debate in the Conference on Disarmament the Ottawa signatories and others can — in an open dialogue — find the middle ground of a pragmatic approach which does justice to both the humanitarian and security dimensions.

Mr. Afeto (Togo) (*interpretation from French*): My delegation wishes to explain its position after the voting on draft resolution A/C.1/52/L.23/Rev.1, entitled "Contributions towards banning anti-personnel landmines".

My delegation considers the question of anti-personnel landmines to be one of paramount importance and, as such, it should be considered with the necessary seriousness and consultation and should be a subject for general consensus, regardless of which forum deals with it. It was in this spirit of compromise that several delegations, on behalf of the African sponsors of draft resolution A/C.1/52/L.1, which include Togo, held consultations with the sponsors of draft resolution A/C.1/52/L.23/Rev.1 to try to accommodate points of view and positions on draft resolution A/C.1/52/L.23/Rev.1, which my delegation viewed from the beginning as a complementary initiative to draft resolution A/C.1/52/L.1.

My delegation regrets that these consultations were unfortunately not able to achieve the expected results, particularly the taking into account of the intensive efforts made in the context of the Ottawa process.

It was for this reason that my delegation abstained in the voting on draft resolution A/C.1/52/L.23/Rev.1.

Mr. Aass (Norway): Norway voted in favour of draft resolution A/C.1/52/L.23/Rev.1. It is our clear understanding that the draft resolution is consistent with and must be seen to complement the one relating to the Ottawa process, as it deals with temporary measures on the way to comprehensive multilateral obligations. In view of the fact that some countries have chosen not yet to take part in the Ottawa process, this draft resolution represents a welcome step towards the objective of the total elimination of anti-personnel landmines.

Three elements were of particular importance in the Norwegian decision to vote in favour of this draft resolution. First, the measures referred to in the draft resolution are temporary ones on the way to a comprehensive obligation, and are correctly considered to be of an interim nature.

Secondly, when this draft resolution invites the Conference on Disarmament to intensify its efforts on the anti-personnel landmine issue, we would like to underline that any negotiating mandate for the Conference has yet to be decided. It remains our view that negotiations on any partial aspects of the issue of anti-personnel landmines might be well conducted within the framework of the

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. Draft resolution A/C.1/52/L.23/Rev.1 does not specify any specific mandate or role for the Conference on Disarmament.

Finally, it is important to us that both States and regional organizations are called upon to contribute to our common objective of totally eliminating all anti-personnel landmines.

Mr. Hajnoczi (Austria): Austria voted in favour of draft resolution A/C.1/52/L.23/Rev.1 because we share the view that all States and all regional organizations should intensify their efforts to achieve the elimination of anti-personnel mines. Austria, indeed, is satisfied that the international community succeeded this year in formulating and adopting the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. As the global norm is now set, all relevant forums, among them the Conference on Disarmament, should be used to universalize the Ottawa Convention.

Austria is aware of proposals to negotiate concrete yet partial bans in the framework of the Conference on Disarmament. In our view, these ideas should be considered in the context of creating stepping stones for some countries on the path towards taking on the full obligations of the total-ban Convention.

Likewise, Austria agrees with the sponsors of the draft resolution that unilateral measures are welcome but can constitute only interim measures. What will be important in the coming months is that initiatives undertaken in various forums such as the Conference on Disarmament dovetail and will be concerted to promote the universality and the full and effective implementation of the total-ban Convention.

Mr. Chowdhury (Bangladesh): Bangladesh believes in general and complete disarmament as a constitutional and moral obligation. Our endeavours in all relevant forums are directed towards that end. We believe that the elements towards the elimination of anti-personnel mines should be addressed in a manner that would buttress the sense of security of all States, and not reduce it. For instance, banning transfers might disadvantage weaker States and enhance the propensity of domestic manufactures to balance possession by others. Nonetheless, we supported draft resolution A/C.1/52/L.23/Rev.1, as we do all similar draft resolutions, because they are in consonance with our broad goals and constitute forward movement towards our ultimate aim.

Mr. Jerman (Slovenia): Slovenia voted in favour of draft resolution A/C.1/52/L.23/Rev.1. Slovenia supports the noble cause of the banning of anti-personnel landmines and supports all international efforts which contribute to our aim.

The Chairman: The Committee will now proceed to take a decision on draft resolution A/C.1/52/L.1, entitled "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction".

I shall now give the floor to members of the Committee wishing to explain their positions or votes before a decision is taken on draft resolution A/C.1/52/L.1.

Mr. Kumar (Singapore): My delegation would like to explain its vote on draft resolution A/C.1/52/L.1, on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. Singapore's position on anti-personnel landmines has been active and open. My country supports, and will continue to support, all initiatives against the indiscriminate use of anti-personnel landmines, especially when they are directed at innocent civilians. To that end, Singapore declared a two-year moratorium on the export of anti-personnel landmines that have no self-destruct or self-neutralizing mechanism.

It is also on the basis of our strong position on the indiscriminate use of anti-personnel landmines that my delegation will vote in favour of this draft resolution. At the same time, like several other countries, Singapore firmly believes that the legitimate security concerns and right to self-defence of any State cannot be disregarded. My country is of the view that a blanket ban on the use of all types of anti-personnel landmines might be counterproductive, especially if such a move might possibly compromise the security of its users. In this context, the draft resolution appears to have skirted the need to take account of the legitimate security interests of countries that are still not in a position to accede a complete ban on anti-personnel landmines.

If and when a similar draft resolution is submitted again at forthcoming sessions of the First Committee, adequate attention should also be given to the overall effectiveness and viability of a global ban on anti-personnel

landmines at this point in time. This would be important in ensuring that the draft resolution is able to transcend the level of a mere gesture. Serious questions will need to be addressed; these include how the relevant technology could be made available to less-developed States to help them reduce their dependence on anti-personnel landmines without compromising their legitimate security interests, and the measures needed to provide the necessary technical and material assistance to countries that need it for the complicated task of demining.

While Singapore will continue to support all viable initiatives against the indiscriminate use of anti-personnel landmines, my delegation would like to reiterate the need to examine closely some of the questions that have been posed, in order to work towards implementable and effective ban on anti-personnel landmines.

Mr. Akram (Pakistan): My delegation had the opportunity to make a statement with regard to our position on the question of anti-personnel landmines yesterday, and I will not repeat the remarks that I made. In the light of the position that we explained at that time, my delegation will be obliged to abstain in the voting on draft resolution A/C.1/52/L.1, since for legitimate security reasons we certainly cannot respond to the invitation in paragraph 1 to sign the Convention on the Prohibition, Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

I have asked for the floor primarily to draw attention to document A/C.1/52/L.47, a note on the financial implications of draft resolution A/C.1/52/L.1 that came to my delegation's attention this morning.

I should like to enquire whether this document was circulated earlier, since it was available to the Committee only today. We have quickly gone through it and have certain questions regarding its contents. These relate to the responsibilities to be entrusted to the Secretary-General under the Convention to be signed that would be somewhat different from those entrusted to him under normal treaties and conventions.

In paragraph 6, the document states that there will be no financial implications for the regular budget and that the costs will be borne by the States parties. However, in paragraph 3, there is a reference to activities under programme 26 and to the programme budget for the biennium 1998-1999 for activities envisaged under programme 26, which are to be transferred to section 2B, Disarmament, in line with the Secretary-General's measures and proposals on United Nations reform contained in document A/52/303.

As the Committee is aware, this document still has to be considered in and approved by the Fifth Committee, and my delegation, for one, has certain questions regarding some of the desiderata contained in the document.

In the light of that fact, I should like to obtain a clarification from the Secretariat that this paragraph does not prejudge consideration in the Fifth Committee of this document, and I should like as well a clear statement that all the costs arising from the Convention to be adopted will be borne by its States parties and that there will be no additional implications for the regular budget of the United Nations.

The Chairman: I call on the Director of the Centre for Disarmament Affairs to respond.

Mr. Davinic (Centre for Disarmament Affairs): My answer to the questions raised by the representative of Pakistan can be given in short form and in long form. In short form the answer is "yes": it is absolutely correct that there will be no additional costs to the regular budget of the United Nations and that the costs associated with the function that the Secretary-General has to carry out in connection with the Convention will be borne by the States parties.

The long answer is that the proposed reorganization of the Secretariat by the Secretary-General is still being considered, and therefore, in paragraph 3, we simply indicated that should the General Assembly approve the proposals, these matters will be handled by the newly created Department for Disarmament and Arms Regulation. That does not actually affect the status of financial implications, because whether handled by the new Department or by the old Centre for Disarmament Affairs the financial implications remain the same. There is no additional burden for the regular budget of the United Nations.

I trust that this will clarify the questions raised by the representative of Pakistan.

Mr. Pham Quang Vinh (Viet Nam): My delegation wishes to explain its vote before the voting on draft resolution A/C.1/52/L.1, relating to the question of landmines.

On the issue of landmines, my delegation has on various occasions made its position clear. Viet Nam shares the great concern over the consequences of the indiscriminate use of landmines, and as a victim of landmines we recognize the gravity of the related problems and fully understand the treachery in terms of human and material losses.

When peace returned to Viet Nam we acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCWC) in 1981, and we support the strict prohibition of the indiscriminate use of landmines. We consider mine clearance, assistance in demining and humanitarian assistance to be of great importance and call for greater efforts in this regard.

When addressing the issue of landmines, we must at the same time take due account of the legitimate security concerns of States and their legitimate right to self-defence. Recognizing the defensive nature of these devices, here again, my delegation wishes to further stress the question of indiscriminate use. The draft resolution before us, and the Convention it refers to, fail to recognize these legitimate concerns.

The draft resolution refers to a convention banning anti-personnel landmines, better known as the Ottawa Convention. We acknowledge that the States sponsoring the draft resolution have made their respective choices regarding a total ban on this type of device. We respect their choice and understand their humanitarian concerns, and we recognize also that their decision has been made according to their specific circumstances and situations.

Taking all those elements into account, my delegation will not participate in the voting.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.1.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.1, entitled "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction", was introduced by the representative of Canada at the Committee's 16th meeting, on 6 November 1997. In addition to the countries listed in the draft resolution and in document A/C.1/52/INF/2, the draft resolution is also sponsored by Georgia and Cameroon.

In connection with the draft resolution, I should like to draw the attention of members of the Committee to a note by the Secretariat contained in document A/C.1/52/L.47, entitled "Note by the Secretariat concerning the responsibilities entrusted to the Secretary-General under draft resolution A/C.1/52/L.1".

A recorded vote was taken

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Azerbaijan, Belarus, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Jordan, Kazakhstan,

Mongolia, Morocco, Myanmar, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, Turkey, United States of America

Draft resolution A/C.1/52/L.1 was adopted by 127 votes to none, with 19 abstentions.

The President: I will now give the floor to those representatives who wish to explain their positions or votes.

Mr. Grey (United States of America): As United States representatives have stated since the end of the Oslo negotiations, United States security concerns will unfortunately preclude us from joining other States in signing the Ottawa Convention in December. Accordingly, we abstained on this draft resolution. However, President Clinton remains committed to eliminating anti-personnel landmines while meeting our fundamental and unique security requirements.

I would like to note just two highlights of this commitment. First, the President announced on 17 September that by the year 2003 the United States would no longer use anti-personnel landmines outside Korea, and within Korea the United States objective was to have alternatives to anti-personnel landmines ready by the year 2006. Secondly, Secretary of State Albright and Secretary of Defense Cohen announced on 31 October an initiative that we have called "Demining 2010". The aim of this initiative is to work with other countries to greatly accelerate global humanitarian demining operations and assistance efforts to end the plague of landmines posing threats to civilians by developing, marshalling and committing the resources necessary to accomplish this goal by the year 2010.

We should all be able to agree that efforts to eliminate anti-personnel landmines have taken a quantum leap over the last several years. Nevertheless, there is much still to do. The United States looks forward to working with all States and other organizations towards achieving our common goal of a world free from anti-personnel landmines.

Mr. Mesdoua (Algeria) (*interpretation from French*): My delegation voted in favour of draft resolution A/C.1/52/L.1, entitled "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction", as we did when the General Assembly at its fifty-first session adopted resolution 51/45 S on the same question.

Algeria, which participated fully in the work of the Oslo Diplomatic Conference, thus wishes to support a total ban on the manufacture, stockpiling, use and transfer of anti-personnel mines. Accordingly, we subscribe and adhere to the objectives, especially the humanitarian objectives, that were initiated through the Ottawa process. We remain committed to the objective of a universal and non-discriminatory ban on anti-personnel mines. However, we believe that such an objective can be obtained only when that process gains the support of the entire international community, when all States join it and when it is truly the subject of universal accession.

However, Algeria respects the positions of those who, for various reasons, are unable to join in the process at this time. In this connection, my delegation would have preferred the conclusion of such an agreement to take place in the Conference on Disarmament, the forum we believe to be the most appropriate for negotiations on agreements of this nature — even given the fact that, for Algeria, the question the mines is not, strictly speaking, a priority in disarmament issues.

Accordingly, Algeria believes that every effort should be made to ensure that countries that have not joined the process will do so through other forums, particularly the Conference on Disarmament. With that same hope, therefore, Algeria supported draft resolution A/C.1/52/L.23/Rev.1, which the Committee has just adopted and which invites the Conference on Disarmament to intensify its efforts in the area of anti-personnel landmines with a view to seeking a ban on mines that will become universal, despite certain reservations that my delegation had on that draft resolution.

Mr. Reiman (Finland): I would like to provide the following explanation in the context of the vote on draft resolution A/C.1/52/L.1, entitled "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction". Finland voted in favour, because we strongly support the thrust of this draft resolution — a ban on anti-personnel landmines. The Government of Finland is fully committed to achieving the goal of a total and effective ban on anti-personnel landmines worldwide. Finland has worked actively to realize this goal and will continue to do so, particularly in the Conference on Disarmament. While supporting the goal of this draft resolution, Finland cannot, however, associate itself with the specific language contained therein, particularly in paragraph 1, for reasons which are well known; they do not require repetition here.

Finland is pleased that the General Assembly at this session is for the first time in a position to address the issue of anti-personnel landmines in a truly comprehensive manner. The issue is too complex and too important for it to be adequately addressed by just one resolution. This Committee had before it three draft resolutions that complement each other. Each provides an avenue to advance our common goal of ridding the world of anti-personnel landmines.

Mr. Uluçevik (Turkey): I wish to share with the Committee the considerations which led my delegation to abstain in the voting on draft resolution A/C.1/52/L.1. It goes without saying that the indiscriminate use of anti-personnel landmines causes humanitarian suffering and casualties and also to a certain extent adversely affects economic development and reconstruction. Therefore, Turkey strongly supports the goal of ending the human tragedy they cause and associates itself with the fundamental humanitarian considerations which motivated the initiation of the process resulting in the conclusion of negotiations in Oslo on 18 September 1997, on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. With similar humanitarian considerations Turkey put into effect, on 17 January 1996, a renewable three-year moratorium on the export and transfer of anti-personnel landmines and is participating in mine-clearance operations in Bosnia and Herzegovina.

However, in Turkey's view, an international instrument banning the use, stockpiling, production and transfer of anti-personnel landmines, including their operational use and transfer, as well as providing for their total elimination, must be the product of extensive negotiations encompassing both the humanitarian and security aspects of the subject. Such an instrument must properly respond to the legitimate security needs and concerns of individual States. It must also fully take into account the fact that at present anti-personnel landmines are being used indiscriminately and irresponsibly by terrorist groups. Moreover, an international instrument as such, to be effective and to achieve the desired objectives, must enjoy universal adherence.

Turkey was not present in Ottawa in October 1996 and did not sign the Brussels Declaration of 27 June 1997. My country followed the Oslo Diplomatic Conference in an observer capacity only. Yet we have carefully studied the text of the Convention which emerged in Oslo. In our assessment, the Convention fails to strike a balance between the humanitarian concerns involved in the issue and the legitimate security needs of States and is heavily tilted towards the former. Moreover, the fact that some of the major actors in this particular field have chosen to remain outside the Ottawa process and that they have not supported United Nations General Assembly resolution 51/45 S of 10 December 1996 nor the draft resolution this Committee has just adopted, is a strong indication that the Convention agreed upon in Oslo will possibly not be able to acquire universality in the foreseeable future.

My Government continues to believe that the Conference on Disarmament, as the sole multilateral negotiating body on disarmament, is the competent forum for negotiations for an international instrument providing for an effectively verifiable ban on anti-personnel landmines which will, at the same time, be universally acceptable. The Conference is a forum which includes all the major actors in all disarmament measures. In our view, it is only through negotiations in the Conference on Disarmament that a proper balance can be struck between the humanitarian and military security aspects of a ban on anti-personnel landmines.

It is our firm view that States can move effectively towards the goal of the eventual elimination of anti-personnel landmines as viable alternatives are developed that would significantly reduce the risk to the civilian population.

It is with these views that my Government, while deciding to abstain in the voting on the draft resolution which this Committee has just adopted, decided to co-sponsor the draft resolution contained in document L.23/Rev.1, entitled "Contributions towards banning anti-personnel landmines", which the Committee has already adopted.

Mr. Aliyev (Azerbaijan): My delegation would like to explain its vote after the voting on the draft resolution contained in document A/C.1/52/L.1. The Azerbaijani Republic fully supports the idea of the adoption of a comprehensive international legal instrument on the prohibition of the use, stockpiling, production and transfer of anti-personnel landmines and on their destruction. We believe that a total ban on anti-personnel landmines, which is a problem that is directly related to the field of disarmament, is one of the urgent humanitarian tasks that the international community should tackle on the eve of the twenty-first century.

We fully recognize the ultimate goal of the elimination of all anti-personnel landmines. However, the present

security situation in our region, in the absence of pertinent alternatives, precludes my country from joining in a total ban on anti-personnel landmines at the current stage. As a result of the aggression by the Republic of Armenia, with 20 per cent of my country's territory under occupation, an uncontrolled situation with regard to the use of mines on this territory has been created.

As is known, the 1997 Oslo Convention strictly prohibits the use of anti-personnel landmines and demands their destruction, and it does not provide for any reservations or exceptions. A State party to the Convention that has undergone external offence and needs to exercise its right of self-defence, protecting its territory with the use of, *inter alia*, anti-personnel landmines, becomes a violator. About 10 per cent of Azerbaijani territory is adjacent to the zone of engagement. Despite a ceasefire that has continued for three and a half years, there is still a threat that hostilities could resume. Acquisition by Armenia of aid disproportionate to its needs — $1 billion worth, in vast amounts of weaponry, including offensive weaponry — is dangerous proof of that. Therefore, unlike Armenia, whose territory was never invaded and occupied, Azerbaijan is forced to use mines on its territory as a deterrent. In this context, our delegation regrets that we could not support the draft resolution just adopted by the Committee.

Mr. Zahran (Egypt): My delegation would like to explain our vote on the draft resolution on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. At the outset, we would like to state that Egypt supports the humanitarian objective of this Convention. We also support the prohibition of the use of anti-personnel landmines.

Granted, this weapon faces objections from numerous States, including my own. Egypt suffered heavily from the implications and devastating effects of the landmines laid by different States in various periods. However, many States find themselves locked into a situation that is partially prompted by a need for legitimate security requirements and for a weapon that offers a defensive alternative for safeguarding territorial integrity and guarding against terrorist infiltration until a viable alternative, or a more economical and technologically advanced alternative, is offered.

The draft Convention has not laid down the legal framework for identifying the responsibility of the States which, over a long period of time, laid those landmines in the territories of other States. This has prompted, for instance, the Organization of African Unity to adopt CM/Dec.363(LXVI), entitled "Report of the Secretary-General on the Issue of Anti-Personnel Landmines and International Efforts to Reach a Total Ban". Paragraphs (*i*) and (*j*) of this resolution underscore the moral responsibility of the countries which "masterminded" — and I am quoting from this resolution:

> "the emplacement of mines in Africa during the Second World War and/or colonial conflicts and urges the said countries to devote a part of their resources, in particular, a reasonable percentage of their military budget to mine clearance and assistance to mine victims in the affected African countries".

Egypt has steadfastly followed, as an observer, the entire Ottawa process from its inception. We attended all meetings, in Vienna, Brussels and Oslo, and Egypt played a crucial and effective role by presenting proposals and non-papers, including for example the non-paper presented by my own delegation in Brussels, which contains some amendments on the draft text.

Lastly, while Egypt supports the conclusion of a universal, legally binding convention to prohibit anti-personnel landmines, we believe that this effort must be made in the forum best equipped for this purpose — the Conference on Disarmament in Geneva, which is the sole multilateral United Nations body devoted to disarmament negotiations.

Mr. Than (Myanmar): I should like to explain the position of my delegation regarding the draft resolutions on anti-personnel landmines contained in documents A/C.1/52/L.1 and A/C.1/52/L.23/Rev.1 respectively.

Although both draft resolutions deal with anti-personnel landmines, L.1 focuses on the Ottawa process and the recently concluded Convention on a total ban on anti-personnel mines. The second draft resolution, L.23/Rev.1, focuses on banning the transfer of anti-personnel landmines and on the intensification of efforts in the Conference on Disarmament to deal with this issue.

Myanmar supports the banning of the export, transfer and indiscriminate use of anti-personnel landmines. We respect the position of the participants in the Ottawa process to conclude an international convention placing a total ban on anti-personnel landmines.

Myanmar, however, is not in a position at present to associate itself with those States. We believe that we should

take a step-by-step approach on this question. What is actually causing harm and injuries to innocent children, women and men is the indiscriminate use of anti-personnel landmines. Transfers and exports of anti-personnel landmines also contribute to their proliferation, thereby increasing the chances of the indiscriminate use of these weapons.

These issues, that of the transfer and that of the indiscriminate use of anti-personnel landmines, are the real matters that need to be urgently addressed and are activities that should be banned in an international legal instrument. As all of us are aware, a significant number of significant countries still have reservations on the question of a total ban on anti-personnel landmines. It is obvious that consensus does not yet exist among the Member States of the United Nations on a total ban. It is also worth noting that other international agreements on humanitarian law have evolved out of consensus among States, given certain uses of some inhumane weapons. The case of anti-personnel landmines is conspicuous by the absence of such consensus.

Apart from humanitarian considerations, this is certainly a disarmament issue. It is therefore imperative that in dealing with it the legitimate security interests of States be fully taken into account. In this regard, we should like to stress here that the legitimate right of every State to self-defence in matters of national security must be recognized and respected. We are also in favour of further pursuing the issue of anti-personnel landmines in the Conference on Disarmament, which, we believe, is the appropriate forum to negotiate agreements on such issues.

For these reasons, my delegation has abstained in the voting on draft resolution L.1, which focuses on placing a total ban on anti-personnel landmines, and has voted in favour of the draft resolution in L.23/Rev.1, which focuses on banning the transfer of anti-personnel landmines and on the intensification of efforts in the Conference on Disarmament on this issue.

Mr. Mahmoud (Lebanon) (*interpretation from Arabic*): Lebanon voted in favour of the draft resolution in document A/C.1/52/L.1 because it endorses the contents, is convinced of the noble objectives underlying this document and is faithful to the humanitarian principles it defends. Lebanon will be able to support the Convention and implement operative paragraphs 1 and 2 once the Israeli occupation of south Lebanon and the Bekaa valley and the Israeli aggression in Lebanese territories have ended.

Mr. Rao (India): My delegation would like to explain its vote on draft resolution A/C.1/52/L.1. Last year, we voted in favour of resolution 51/45 S on an international agreement to ban anti-personnel landmines. While we continue to share the objective of banning anti-personnel landmines, we have reservations on the Convention that has been referred to in L.1.

We believe that the objective can be achieved in a meaningful way through a phased approach that would enjoy international consensus and by addressing humanitarian concerns and the legitimate defence requirements of States. The basis of this phased approach would be seen as confidence-building, enabling States to deal urgently with the humanitarian crisis while remaining sensitive to their legitimate security needs. We believe that the availability of non-lethal technologies to perform the legitimate defensive role of landmines will help accelerate their complete elimination.

The international community should also effectively address the critical issues of mine clearance and dedicate greater efforts and assistance to affected areas. In view of the above, we have abstained on L.1.

Mr. Benítez Verson (Cuba): As the position of my delegation on anti-personnel landmines and, particularly, with regard to the Convention mentioned in A/C.1/52/L.1 is well known, I shall not go into further detail in this explanation of vote.

Cuba feels that the ultimate objective of the negotiations on anti-personnel landmines has always been to guarantee maximum protection of the civilian population and not to restrict the military capabilities of States with regard to preserving their sovereignty and territorial integrity by using measures that are in accordance with the principle of legitimate defence. The failure to respect that important principle in the draft resolution in document L.1 that has been adopted is precisely and basically why Cuba abstained in the vote. It cannot be overlooked that mines are still an indispensable weapon for the legitimate defence of many States, particularly developing countries that do not have the necessary resources to find alternative ways of defending themselves.

In the specific case of my country, the tensions in our area are well known, caused by the continued hostility of one neighbouring nuclear-weapon Power against Cuba. Cuba will continue fully to support every effort that, while maintaining the necessary balance between humanitarian questions and those of national security, is aimed at

eliminating the terrible effects on the civilian populations of many countries as a result of the indiscriminate and irresponsible use of anti-personnel landmines.

Mr. Dehghani (Islamic Republic of Iran): I am taking the floor to explain my delegation's vote on draft resolution A/C.1/52/L.1, entitled "Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction".

The Islamic Republic of Iran, as a country affected by millions of landmines, supports any genuine initiative that deals with a ban on all types of anti-personnel landmines. Accordingly, my delegation participated in the Ottawa process as an observer. That process was expected to result in the preparation of a comprehensive and balanced document to address both security and humanitarian aspects of the problem, and to make provisions for financial support and the transfer of relevant advanced technology to affected countries, enabling those States to overcome this serious problem. Regrettably, the final Oslo text does not meet these concerns in a clear and concrete manner.

For these reasons, my delegation abstained in the voting on the draft resolution. We hope that the Conference on Disarmament will be able to establish another committee to start negotiations on a comprehensive and universally acceptable agreement to ban all types of anti-personnel landmines.

Mr. Anastassov (Bulgaria): Bulgaria voted in favour of draft resolution A/C.1/52/L.1, bearing in mind the immense humanitarian problem caused by anti-personnel landmines. We support the efforts of the international community to seek ways to solve it. With a view to contributing to the total ban on anti-personnel landmines, we voted in favour of General Assembly resolution 51/45 S last year.

On the other hand, we attach great importance to the disarmament aspects of this issue and participate actively in the discussions in the Conference on Disarmament in Geneva. That is why our country has co-sponsored draft resolution A/C.1/52/L.23 at this session, as a complementary and non-competitive effort of the international community to resolve this problem.

I should like to take this opportunity to inform the Committee that Bulgaria has already unilaterally started demining activities, with a view to eliminating the old mine fields placed along the southern borders of our State. In the light of Bulgaria's support for the total ban on anti-personnel landmines, the Bulgarian Ministry of Defence is currently carrying out an in-depth analysis of the relevant changes in Bulgarian military doctrine. The position of Bulgaria on this issue is also expected to evolve as a result of the country's further integration with the Euro-Atlantic security structures, and more specifically with NATO.

Bulgaria's potential future accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction will take into account the concrete situation in the region of south-eastern Europe, as well as the positions of our neighbours on the anti-personnel landmines ban. It will also incur considerable financial and material expenditures. Hence we shall need support, both on a bilateral and multilateral basis, when addressing the issue of demining and destroying stockpiles of anti-personnel landmines.

Bulgaria welcomes the active role of Canada and other countries in the Ottawa process of negotiating that Convention. We believe that the work achieved so far in the context of the Ottawa process is a good basis for continuing the efforts to find a comprehensive solution to the anti-personnel landmines problem, which should, moreover, enjoy the broadest possible support.

Mr. Danieli (Israel): My delegation abstained on draft resolution A/C.1/52/L.1. In view of Israel's position regarding anti-personnel landmines, elaborated in my delegation's explanation of vote on draft resolution A/C.1/52/L.23/Rev.1, Israel is precluded from signing the Convention to be opened for signature in Ottawa, which is the main operative role of this resolution.

The Chairman: Are there any other delegations wishing to explain their vote after the voting? There seem to be none.

The Committee will now proceed to take action on draft resolution A/C.1/52/L.5/Rev.2.

I shall first call on those members of the Committee who wish to explain their position or vote before a decision is taken.

Mr. Grey (United States of America): The United States will vote against this draft resolution. The draft resolution singles out Israel and is unacceptable to the United States Government in any form. Draft resolutions such as this do nothing to further our mutual arms control objectives. Substantive considerations of issues related to nuclear and other weapons of mass destruction in the

Middle East will occur only in the broader context of efforts to secure peace in the region and at a pace that all regional parties find acceptable.

The United States is of course fully committed to securing that peace, and believes that arms control measures in the region will be taken in due course and in a manner that is consistent with their relevance in the peace process.

Mr. Danieli (Israel): Israel will vote against draft resolution A/C.1/52/L.5/Rev.2. Israel's attitude towards the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has unjustifiably become a major subject of criticism in annual resolutions. No other Member State of the United Nations, including those which for national security reasons found it impossible to become parties to the NPT, has ever been subject to repeated condemnatory resolutions regarding the question of their treaty membership.

As much as Israel welcomes the indefinite extension of the NPT, Israel does not find in it an adequate response to its security problems and regional concerns in the Middle East. There is no place for criticism of Israel based on external perceptions of Israel's political and security situation, or on subjective national experiences and lessons learned in other regions.

Another draft resolution that was already adopted by consensus by this Committee, that on the establishment of a nuclear-weapon-free zone in the Middle East, already covers all relevant topics of principle pertaining to the nuclear issue. This in itself renders draft resolution L.5/Rev.2 superfluous and redundant. There is therefore no need for this draft resolution. Obviously its only, and I underline, its only current remaining objective is to single out and condemn Israel, with complete disregard for events in the region.

It is widely accepted that resolutions dealing with international or regional security adopted by international forums are of value only when adopted by consensus, and more so when dealing with nuclear issues. Their adoption by a majority vote renders them unrealistic and ineffective. Another negative consequence of such a majority vote is the creation of an illusion that resolutions are a proper replacement for direct and free negotiations among the concerned parties. I call once again upon all delegations to resist this annual temptation and ritual to demonstrate their support for the NPT by joining in Israel's condemnation in this Committee.

Mr. Dehghani (Islamic Republic of Iran): I should like to make a brief statement on draft resolution A/C.1/52/L.5/Rev.2, entitled "The Risk of nuclear proliferation in the Middle East", sponsored by Egypt.

We will vote in favour of the draft resolution. In the view of my delegation, the content of this draft resolution is faithful to the real situation in the Middle East. It calls upon Israel, the only State in the Middle East that is not party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), to join this Treaty and place its unsafeguarded nuclear-weapons programme under the safeguards of the International Atomic Energy Agency.

Despite repeated calls by the General Assembly on Israel to accede to the NPT and to place its nuclear-weapons programme under international International Atomic Energy Agency safeguards, there has been no change in Israel's position in this respect. We firmly believe that Israel's accession to the NPT will facilitate the establishment of a zone free from nuclear and other weapons of mass destruction in the Middle East.

The Chairman: The Committee will now take action on the draft resolution contained in document A/C.1/52/L.5/Rev.2.

A recorded vote has been requested.

A separate, recorded vote has been requested on the sixth preambular paragraph.

I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.5/Rev.2, entitled "The risk of nuclear proliferation in the Middle East", was introduced by the representative of Egypt on behalf of the States members of the League of Arab States at the 20th meeting, on 12 November 1997. The draft resolution was sponsored by those countries listed in the draft itself.

The Committee is now voting on the sixth preambular paragraph of the draft resolution.

The Chairman: I call on the representative of the Syrian Arab Republic on a point of order.

Mr. Abou-Hadid (Syrian Arab Republic): I think that there is a mistake here. It was stated that we are now taking a separate vote on the sixth preambular paragraph. The Secretariat is requested to read out this paragraph, as

there seems to be some confusion between the sixth and seventh paragraphs.

The Chairman: I call on the representative of Norway on a point of order.

Ms. Dramdal (Norway): I also think that there is some confusion here. Would it be possible to read out the paragraph and take the vote once again, because I think there was a misunderstanding?

The Chairman: I call on the representative of Romania on a point of order.

Mr. Gorita (Romania): We are in the same situation as Norway.

The Chairman: I call on the representative of the Lao People's Democratic Republic on a point of order.

Mr. Kittikhoun (Lao People's Democratic Republic): We too had understood that we were voting on the paragraph that reads as follows:

"*Recalling also* the decision on principles...",

not on the paragraph that names Israel. There was some confusion. Can we vote again?

The Chairman: I call on the representative of India, who requested the separate vote, to explain exactly on which paragraph he wanted a separate vote to be taken.

Mr. Rao (India): As announced from the rostrum, I had requested a separate recorded vote on the sixth preambular paragraph, which reads:

> "*Recalling also* the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons...in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to it at the earliest date, in particular those States which operate unsafeguarded nuclear facilities".

Mr. Abou-Hadid (Syrian Arab Republic) (interpretation from Arabic): My delegation apologizes for raising this question. We believe that it would be advisable for the Secretariat, when there is a request for a separate vote on a paragraph, to read the beginning of the paragraph to be voted upon.

The Chairman: Now that we have had clarification, I call upon the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): The Committee is voting on the sixth preambular paragraph of draft resolution A/C.1/52/L.5/Rev.2, which begins

> "*Recalling also* the decision on principles and objectives for nuclear non-proliferation and disarmament..."

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania,

United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:
India, Israel

Abstaining:
Cuba, Pakistan, Papua New Guinea

The sixth preambular paragraph of draft resolution A/C.1/52/L.5/Rev.2 was retained by 137 votes to 2, with 3 abstentions

[Subsequently, the delegation of Tunisia informed the Secretariat that it had intended to vote in favour.]

The Chairman: The Committee will now vote on draft resolution A/C.1/52/L.5/Rev.2 as a whole.

A recorded vote was taken.

In favour:
Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:
Israel, United States of America

Abstaining:
Burkina Faso, Cameroon, Canada, Congo, Côte d'Ivoire, Estonia, India, Kazakhstan, Kenya, Liberia, Marshall Islands, Myanmar, Nepal, Norway, Papua New Guinea, Singapore, Uruguay

Draft resolution A/C.1/52/L.5/Rev.2 was adopted by 124 votes to 2, with 17 abstentions

The Chairman: I shall now call on representatives wishing to explain their position or vote after the voting.

Mr. Rao (India): My delegation abstained in the voting on the draft resolution as a whole and voted against the sixth preambular paragraph. The reasons for this are obvious and consistent with India's stand on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Briefly, India is not a party to the NPT and has no intention of becoming one. Therefore, we cannot support the call upon States that are not yet parties to that Treaty to accede to it. For this reason, we voted against the sixth preambular paragraph and abstained in the voting on the draft resolution as a whole.

Mr. Akram (Pakistan): My delegation supported the draft resolution, because we endorse the objective of promoting non-proliferation in the Middle East. We would have hoped, however, that its provisions might have been restricted to considerations relating to the region of the Middle East. We are concerned at the insertion in the draft resolution of the sixth preambular paragraph, which contains a call for adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In the light of the security environment in our region, Pakistan is not in a position to adhere to the NPT. We do not believe that that provision has added anything to the draft resolution or strengthened the possibilities of the successful attainment of its objectives. We sincerely hope that the sponsors of the draft resolution will reconsider the insertion of this provision in future.

Mr. Al-Dayel (Saudi Arabia)(*interpretation from Arabic*): My delegation voted in favour of the draft resolution. As everyone knows, Israel is the only State in the Middle East region that has not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Israel has to abandon its possession of nuclear weapons and subject all its nuclear installations to the comprehensive safeguards regime of the International Atomic Energy

Agency, because its accession to the Treaty would have a positive influence for the achievement of peace among the States of the region and reinforce trust among the peoples of the Middle East.

The Chairman: As there are no more speakers on draft resolution A/C.1/52/L.5/Rev.2, the Committee will now proceed to take action on draft resolution A/C.1/52/L.35, on which a recorded vote has been requested. A separate, recorded vote has been requested on operative paragraph 3.

I call upon the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.35, "The nuclear-weapon-free southern hemisphere and adjacent areas," was introduced by the representative of Brazil at the Committee's 17th meeting on 7 November 1997. In addition to those countries listed in the draft resolution and in document A/C.1/52/INF/2, the draft resolution is sponsored by the following countries: Cape Verde, Nicaragua and Tunisia.

The Committee is voting first on operative paragraph 3 of the draft resolution, which begins:

> "*Welcomes* the steps taken to conclude further nuclear-weapon-free zone treaties..."

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Fiji, France, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

Against:

India

Abstaining:

Armenia, Bhutan, Cuba, Estonia, Finland, Israel, Republic of Korea, Slovakia, Viet Nam

Operative paragraph 3 of draft resolution A/C.1/52/L.35 was retained by 130 votes to 1, with 9 abstentions.

[Subsequently, the delegations of Egypt, the Republic of Korea and Slovakia informed the Secretariat that they had intended to vote in favour.]

The Chairman: I give the floor to the Secretary of the Committee to continue the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): The Committee will now vote on the draft resolution as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya,

Liechtenstein, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

France, Liberia, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Armenia, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, India, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Mauritius, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey

Draft resolution A/C.1/52/L.35 as a whole was adopted by 109 votes to 4, with 36 abstentions.

[Subsequently, the delegation of Liberia informed the Secretariat that it had intended to vote in favour.]

The Chairman: I will now call on those delegations wishing to explain their position or vote.

Mr. Grey (United States of America): I have asked for the floor on behalf of France, the United Kingdom and the United States to explain our position on draft resolution A/C.1/52/L.35, on the so-called nuclear-weapon-free southern hemisphere and adjacent areas.

Our three delegations voted "no" on this draft resolution since, despite continuous consultation and work with the sponsors, it still does not adequately address our main problems. Let me explain why.

Most important, we remain concerned that the thrust of the draft resolution is to prepare the ground for the establishment of the southern hemisphere as a nuclear-weapon-free zone. Since all land territory of the southern hemisphere, with the exception of a few small islands, is already covered by nuclear-weapon-free zones, the only new areas that such a zone could cover are the high seas. Many delegations assert that this is not the draft resolution's intent and point out that the draft resolution makes reference to the United Nations Convention on the Law of the Sea. But if the new zone will not cover the high seas, what will it add to the existing zones? And if maritime rights of free passage are not to be limited, why do the sponsors refuse to accept amendments that make explicit, unambiguous reference to such rights?

Thus, we can only conclude that the true aim of some sponsors is indeed to create a new zone that covers international waters. Such a step would be inconsistent with international law and should be unacceptable to all delegations that respect the Law of the Sea.

Despite this and other, lesser problems, we do acknowledge that the sponsors of A/C.1/52/L.35 made a number of useful improvements this year in the text of the draft resolution. Although these changes were not enough to overcome our general concern about the draft resolution's purpose, we hope that next year the sponsors can offer a text that will meet the needs of all of us.

I wish to emphasize that our vote on this draft resolution should in no way be interpreted as calling into question our firm commitment to the treaties of Tlatelolco, Rarotonga, Pelindaba and the Antarctic, nor do we have objections in principle to the establishment of new nuclear-weapon-free zones, which can make an important contribution to both regional and global security, provided that they are supported by all States in the region concerned and are embodied in appropriate treaties, including provision for full-scope International Atomic Energy Agency safeguards.

Mr. Sha Zukang (China) (*interpretation from Chinese*): The Chinese delegation voted in favour of the draft resolution contained in document A/C.1/52/L.35, entitled "The nuclear-weapon-free southern hemisphere and adjacent areas".

China always respects and supports efforts to establish nuclear-weapon-free zones based on arrangements freely arrived at and freely agreed upon by the States parties. China also undertakes unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States or in nuclear-weapon-free zones.

Given this position, China signed and ratified the relevant protocols for all the nuclear-weapon-free-zone treaties except the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone. China actively supports the efforts made by the South-East Asian countries to establish a nuclear-weapon-free zone in their region. And China is ready to seek with the countries concerned an early settlement of the pending issues — without prejudicing the territorial sovereignty and maritime rights and interests of all countries concerned — with a view to facilitating an early signing of the protocol of the Southeast Asia Nuclear-Weapon-Free Zone Treaty by all concerned States, including China.

The Chinese delegation believes that the establishment of nuclear-weapon-free zones is of great significance to nuclear disarmament, to the prevention of nuclear proliferation and to promoting regional peace and security. At the same time, the Chinese delegation believes that all the nuclear-weapon-free-zone treaties should be in keeping with the objectives and principles of the United Nations Charter and also with the generally recognized norms of international law. The nuclear-weapon-free zones should be established on the basis of fair consultations that have been freely entered into and that take into account the specific conditions of the regions in question.

The geographical scope of nuclear-weapon-free zones should not cover continental shelves, exclusive economic zones of the States parties to the treaty, or areas that are in dispute between those States and their neighbouring countries regarding territorial sovereignty and maritime rights and interests.

The States parties to a nuclear-weapon-free zone treaty should not exempt themselves from treaty obligations under any pretext, including their membership in a military alliance.

The Chinese delegation notes that the draft resolution refers to the applicable principles and rules of international law relating to rights of passage through maritime space, including under the United Nations Convention on the Law of the Sea. We understand that the draft resolution does not seek to create any new legal obligations beyond the provisions of the existing nuclear-weapon-free zone treaties.

On the basis of this position and understanding, the Chinese delegation voted in favour of draft resolution A/C.1/52/L.35, entitled "The nuclear-weapon-free southern hemisphere and adjacent areas".

Mr. Rao (India): My delegation has asked for the floor to explain its vote.

Operative paragraph 3 of the draft resolution in document A/C.1/52/L.35 welcomes the steps taken to conclude further nuclear-weapon-free zone treaties on the basis of arrangements freely arrived and then refers, *inter alia*, to the resolution on the establishment of nuclear-weapon-free zones in South Asia, on which our position is well known and which I need not repeat.

Clearly, there is a contradiction in this paragraph, as reference to the proposal on South Asia, on which there is no consensus, cannot flow from arrangements freely arrived at, as stated at the beginning of the paragraph.

Also, the second preambular paragraph envisages the prevention of proliferation as the primary means of strengthening international peace and security. The elimination of weapons of mass destruction, particularly nuclear weapons, has been referred to in a somewhat convoluted and oblique manner.

We have serious reservations on operative paragraph 3. We therefore called for a separate vote on it, voted against it and abstained in the voting on the draft resolution as a whole.

Mr. Danieli (Israel): Israel abstained in the voting on this draft resolution. It is Israel's position that a nuclear-weapon-free zone should originate from within the region itself through free and direct negotiations among all the region's constituents and should include mutual verification regimes. A nuclear-weapon-free zone has to take into account the specific characteristics of each region.

With this in mind, Israel also reserved its position with regard to operative paragraph 3 of the draft resolution.

The meeting rose at 1.10 p.m.